

IDENTITY Theft PREVENTION ACT:

A GUIDE FOR BUSINESSES

consumer**brief**



THE IDENTITY THEFT PREVENTION ACT

The federal government reports that identity theft is now the fastest-growing financial crime. To better protect New Jersey residents against identity theft, the [Identity Theft Prevention Act](#) took effect on January 1, 2006. This law is enforced by the New Jersey Division of Consumer Affairs.

The law requires businesses to take certain steps to protect the private personal information it collects from customers, employees, members and other individuals. If a security breach occurs, the law also requires businesses to take certain steps to alert affected consumers and to notify the appropriate authorities.

The Identity Theft Prevention Act applies to businesses and public agencies. Businesses are required to minimize the risk of identity theft by:

- **Refraining** from posting or displaying customers' Social Security numbers, printing Social Security numbers on any material sent through the mail, intentionally making customers' Social Security numbers available to the general public or transmitting the numbers over the Internet unless the numbers are encrypted;
- **Destroying** customer records that contain private personal information and are no longer to be retained. These records must be shredded, erased or otherwise modified to make personal information unreadable or indecipherable; and
- **Disclosing** any breach of security of computerized records to any New Jersey customer whose private personal information was or may have been accessed by an unauthorized person. In advance of the disclosure to the customer, the business must first **report the breach of security to the New Jersey State Police** and receive notification that disclosure will not compromise a law

enforcement investigation. The consumer reporting agencies also must be notified when the breach is disclosed to more than 1,000 persons at a time.

Breaches must be disclosed quickly, without unreasonable delay.

You can report a breach of security to the New Jersey State Police 24 hours a day at: **609-538-6090**.

THE ROLE OF THE DIVISION OF CONSUMER AFFAIRS

The Division helps consumers guard against the unauthorized use or theft of private personal information. Personal information includes a Social Security number, driver's license number or financial account number. When consumers suspect or know that their private personal information has been misused, a report should be filed with their local police department.

The Division reviews and investigates complaints against organizations that allegedly fail to protect individuals' personal information.

CONTACT INFORMATION:

For more information on how the Division can help businesses comply with the Identity Theft Prevention Act, contact:

State of New Jersey
Office of the Attorney General
Division of Consumer Affairs
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Office of the Attorney General

New Jersey Division of
**Consumer
Affairs**